

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

UNITED STATES OF AMERICA)	
)	Case No. 1:17-cr-153
v.)	
)	Judge Travis R. McDonough
MICHAEL JOHN BIGERTON)	
)	Magistrate Judge Christopher H. Steger
)	

ORDER

U.S. Magistrate Judge Christopher H. Steger filed a report and recommendation (Doc. 26) recommending that the Court: (1) grant Defendant's motion to withdraw his not guilty plea as to Count One of the one-count Indictment; (2) accept Defendant's guilty plea as to Count One of the one-count Indictment; (3) adjudicate Defendant guilty of possession of child pornography in violation of 18 U.S.C. §§ 2252A(a)(5)(B) and 2252A(b)(2); and (4) order that Defendant remain out of custody subject to the Order Setting Conditions of Release (Doc. 8) pending further order of the Court or sentencing in this matter. Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with Magistrate Judge Steger's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Doc. 26) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not guilty plea as to Count One of the one-count Indictment is **GRANTED**;
2. Defendant's plea of guilty to Count One of the one-count Indictment is **ACCEPTED**;

3. Defendant is hereby **ADJUDGED** guilty of possession of child pornography in violation of 18 U.S.C. §§ 2252A(a)(5)(B) and 2252A(b)(2);
4. Defendant **SHALL REMAIN OUT OF CUSTODY** subject to the Order Setting Conditions of Release (Doc. 8) pending further order of the Court or sentencing in this matter; and
5. Defendant shall appear before the undersigned for sentencing on **July 27, 2018**, at **9:00 a.m.**

SO ORDERED.

/s/Travis R. McDonough

**TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE**